The County of Yuba

BOARD OF SUPERVISORS

MAY 15, 2012 - MINUTES

The Honorable Board of Supervisors of the County of Yuba met in regular session on the above date, commencing at
9:30 a.m., within the Government Center, Marysville, California, with a quorum being present as follows: Supervisors
Andy Vasquez, John Nicoletti, Mary Jane Griego, Roger Abe, and Hal Stocker. Also present were County Administrator
Robert Bendorf, County Counsel Angil Morris-Jones, and Clerk of the Board of Supervisors Donna Stottlemyer.
Chairman Stocker presided.

I. PLEDGE OF ALLEGIANCE - Led by Supervisor Stocker

II. ROLL CALL - Supervisors Vasquez, Nicoletti, Griego, Abe, Stocker - All Present

III. CONSENT AGENDA: All matters listed under the Consent Agenda are considered to be routine and can be
enacted in one motion.

MOTION: Move to approve consent agenda  MOVED: Mary Jane Griego  SECOND: John Nicoletti
AYES: Mary Jane Griego, John Nicoletti, Andy Vasquez, Roger Abe, Hal Stocker
NOES: None  ABSENT: None  ABSTAIN: None

A. Clerk of the Board of Supervisors

1. Approve the minutes of the regular meeting of April 24 and May 1, 2012. (179-12) Approved as written.

B. Community Development and Services

1. Approve agreement with Water Pollution Control Services, Inc. for operation of the Gold Village
wastewater treatment plant and authorize the Chair to execute same. (Land Use and Public Works
Committee recommends approval) (180-12) Approved.

2. Award contract to Knife River Construction, the apparent low bidder, for North Beale Road shoulder
improvements and overlay project and authorize the Chair to execute same upon review and approval of
County Counsel. (181-12) Approved.

3. Authorize Budget Transfer in the total amount of $264,686 from Account No. 102-000-312-08-00 (Sales
Tax Transportation) to various line items to allocate unanticipated Local Transportation fund revenue.
(182-12) Approved.

IV. SPECIAL PRESENTATION

A. Present proclamation supporting the Greenprint Initiative where each day is Arbor Day. (Five minute
estimate) (183-12) Following Supervisor Griego reading and presenting the proclamation, Regional
Coordinator Ann Fenkner and Executive Director Ray Tretheway commented on tree planting projects
within the County.

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V. PUBLIC COMMUNICATIONS:

Public Works Director Mike Lee advised of road closure on Hammonton-Smartsville Road approximately two miles east of Hammonton Road due to a sink hole with repairs underway and anticipated completion within two days.

VI. COUNTY DEPARTMENTS

A. Administrative Services

1. Approve contract with United Landscape Resource, Inc doing business as Botanica Landscapes for landscaping services and authorize the Chair to execute same. (Ten minute estimate) (184-12) Director Doug McCoy recapped the change in contracted services and responded to Board inquiries.

MOTION: Move to approve MOVED: John Nicoletti SECOND: Andy Vasquez
AYES: John Nicoletti, Andy Vasquez, Mary Jane Griego, Roger Abe, Hal Stocker
NOES: None ABSENT: None ABSTAIN: None

B. Board of Supervisors

1. Appoint one individual to the Wheatland Cemetery District for a term to end April 13, 2014. (Five minute estimate) (185-12)

MOTION: Move to appoint Patricia Agles MOVED: Roger Abe SECOND: John Nicoletti
AYES: Roger Abe, John Nicoletti, Andy Vasquez, Mary Jane Griego, Hal Stocker
NOES: None ABSENT: None ABSTAIN: None

C. Community Development and Services

1. Receive presentation on draft update to South Yuba Drainage Master Plan. (Twenty minute estimate) (186-12) MHM Consultant Sean Minard provided a Power Point presentation recapitulating the study area, existing and future conditions, proposed infrastructure improvements and costs, and recommended adoption of Alternate C as highest benefit. Mr. Minard and Community Development and Services Director Kevin Mallen responded to Board inquiries.

Public Works Director Mike Lee recapped the process for comments, public hearings, and final draft to be received in June.

Following Board discussion, Board consensus was Alternate C as the preferred option.

VII. ORDINANCES AND PUBLIC HEARINGS: The clerk read the disclaimer.

A. Ordinance - Hold public hearing, waive reading, and introduce ordinance amending Chapter 13.80 addressing deferral and waiver of certain impact fees, as it relates to building permits. (First reading) (Land Use and Public Works Committee recommends approval) (Ten minute estimate) (187-12) Community Development and Services Director Kevin Mallen recapped deferral and waivers and responded to Board inquiries.

Chairman Stocker opened the public hearing. No one came forward.
MOTION: Move to close public hearing, waive reading, and introduce ordinance
MOVED: John Nicoletti  SECOND: Mary Jane Griego
AYES: John Nicoletti, Mary Jane Griego, Andy Vasquez, Roger Abe, Hal Stocker
NOES: None  ABSENT: None  ABSTAIN: None

B. Public Hearing - Hold public hearing and adopt resolution confirming the diagram and assessments within Gledhill Landscaping and Lighting District for Fiscal Year 2012/2013. (Five minute estimate) (188-12) Public Works Director Mike Lee advised the assessments are unchanged, use of funds, and responded to Board inquiries.

Chairman Stocker opened the public hearing. No one came forward.

MOTION: Move to close public hearing and adopt resolution
MOVED: John Nicoletti  SECOND: Andy Vasquez
AYES: Mary Jane Griego, Roger Abe, Hal Stocker, John Nicoletti, Andy Vasquez
NOES: None  ABSENT: None  ABSTAIN: None

Adopted Resolution No. 2012-39, which is on file in Resolution Book No. 43, entitled: "ADOPT RESOLUTION CONFIRMING THE DIAGRAM AND ASSESSMENTS WITHIN GLEDHILL LANDSCAPING AND LIGHTING DISTRICT FOR FISCAL YEAR 2012/2013."

C. Public Hearing - Hold public hearing and adopt resolution determining and imposing assessments within Linda Street Lighting Maintenance District for Fiscal Year 2012/2013. (Five minute estimate) (189-12) Public Works Director Mike Lee advised the assessments are unchanged, use of funds, and responded to Board inquiries.

Chairman Stocker opened the public hearing. No one came forward.

MOTION: Move to close public hearing and adopt resolution
MOVED: Andy Vasquez  SECOND: John Nicoletti
AYES: Andy Vasquez, John Nicoletti, Mary Jane Griego, Roger Abe, Hal Stocker
NOES: None  ABSENT: None  ABSTAIN: None

Adopted Resolution No. 2012-40, which is on file in Resolution Book No. 43, entitled: "ADOPT RESOLUTION DETERMINING AND IMPOSING ASSESSMENT WITHIN LINDA STREET LIGHTING MAINTENANCE DISTRICT."

VIII. CORRESPONDENCE - (190-12)

MOTION: Move to accept and file  MOVED: John Nicoletti  SECOND: Mary Jane Griego
AYES: John Nicoletti, Mary Jane Griego, Andy Vasquez, Roger Abe, Hal Stocker
NOES: None  ABSENT: None  ABSTAIN: None

A. Letter from Area 4 Agency on Aging enclosing annual single audit report for Fiscal Year ending June 30, 2011. Accepted.

B. Letter from Lake Francis Grange #745 supporting a natural resource preservation initiative. Accepted.
C. Notice from the State of California Fish and Game Commission regarding regulatory action relating to
waterfowl hunting. (Copy to Yuba County Fish and Game Advisory Commission) Accepted.

D. Notice from the California Wildlife Conservation Board advising of intent to consider land acquisition for
Daughtery Hill Wildlife Area of 679 acres located in Yuba County on May 31, 2012. Accepted.

IX. BOARD AND STAFF MEMBERS’ REPORTS:

Supervisor Abe:
- Golden State Risk Management Authority meeting held May 9, 2012
- Sierra Sacramento Valley EMS meeting held May 11, 2012
- Change of command ceremony at Beale held May 10, 2012
- OPUD Liaison meeting held May 11, 2012
- Wheatland Beale Community Day held May 12, 2012
- Landfill hosts fees and settlement

Supervisor Vasquez: Memorial Adjournment - Army Specialist Chase Stone Marta

Supervisor Nicoletti:
- Lowering of flag to half staff in memorial to Army Specialist Chase Stone Marta and employee participation
  in flag display on 10th Street
- Establishing Friendship City relationship with Yantai, China

Supervisor Griego:
- OPUD Liaison meeting held May 11, 2012
- Olivehurst swimming pool opening June 2, 2012
- Redevelopment Agency Oversight Board meeting held May 14, 2012

County Administrator Robert Bendorf:
- State budget May revise, deficits and funding impacts to County
- LAFCO Sphere of Influence for City of Marysville and public hearing

X. CLOSED SESSION: The Board retired into closed session at 11:11 a.m.

A. Conference with Real Property Negotiator pursuant to Government Code §54956.8 - Property: APN 022-010-
012/Steele Negotiating Parties: Paragon Partners/Michael Lee Negotiation: Terms of Payment

B. Pending litigation pursuant to Government Code §54956.9(a) - Bradley Meraz vs. County of Yuba

C. Potential litigation pursuant to Government Code §54956.9(b) - One Case

The Board returned from closed session at 12:09 p.m. with all present as indicated above.

County Counsel Angil Morris-Jones advised staff was provided direction and authority regarding property
negotiations; the Board authorized defense of pending litigation and referred the matter to Porter Scott; and
direction was provided regarding potential litigation.
XI. **ADJOURN**: 12:10 p.m. by Chairman Stocker in memory of Army Specialist Chase Stone Marta.

[Signature]

Chair

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ATTEST: DONNA STOTTLEMEYER  
CLERK OF THE BOARD OF SUPERVISORS

[Signature]

Approved: July 26, 2012